

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT, E.D.N.Y.  
★ JUL 14 2006 ★  
BROOKLYN OFFICE

-----X  
JAMES ROBINSON,

Plaintiff,

- against -

NEW YORK CITY POLICE  
DEPARTMENT; P.O. SACHIN PARMAR;  
SGT. GENE ETORIA; OFFICE OF THE  
BROOKLYN DISTRICT ATTORNEY; and  
CHARLES J. HYNES,

Defendants.  
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**ORDER AFFIRMING REPORT  
AND RECOMMENDATION OF  
MAGISTRATE JUDGE AND  
DISMISSING ACTION**

CV-05-5709 (BMC) (LB)

**COGAN**, District Judge.

On June 26, 2006, Magistrate Judge Lois Bloom issued a report, recommending dismissal of this case due to plaintiff's repeated failure to appear at Court-ordered conferences. Plaintiff was twice instructed to appear for conferences by orders mailed to the address he provided to the Court. When plaintiff failed to appear at the first conference, Judge Bloom issued an Order, dated May 18, 2006, rescheduling the matter; ordering plaintiff to show cause for his earlier absence; and warning plaintiff of the possible consequence of dismissal for failing to appear. Nevertheless, plaintiff failed to attend the second conference or show cause for his absences, leading to Magistrate Judge Bloom's report and recommendation. The Court has received no objection from plaintiff to Judge Bloom's Report and Recommendation.

The Court has considered the possibility that plaintiff did not receive the notices or the report and recommendation; however, as Magistrate Judge Bloom noted, it is incumbent upon plaintiff to inform the Court of his current address. The only alternative would be to maintain the action indefinitely, leaving defendants with no ability to know if it will ever be pursued. This Court agrees with Magistrate Judge Bloom that this would be unfair to the defendants and an improper use of the Court's resources. Accordingly, it is hereby

ORDERED, that the report and recommendation of Magistrate Judge Bloom is adopted, and this case is dismissed. The Clerk is directed to mark the file closed.

Dated: Brooklyn, New Y  
July 12, 2006

      /s/(BMC)

U.S.D.J.

